

IN THE MICHIGAN COURT OF APPEALS

ORDER

Re: **Bendure & Thomas v Mary Caswell**

Docket No. **287164**

52-1 District Ct. No. **06-000229-GC**

Christopher M. Murray, Chief Judge Pro Tem, acting under MCR 7.203(F)(1) and 7.216(A)(10), orders:

The claim of appeal from the July 31, 2008 final order of the 1st Division of the 52nd District Court is DISMISSED for lack of jurisdiction. This Court has jurisdiction to accept appeals of right filed by parties who are aggrieved by a final order of the court of claims or the circuit court, not by an order of a district court. MCR 7.203(A)(1). See also MCR 7.101(A)(1). Because the Oakland Circuit Court's March 27, 2008 was transformed by law into a district court order when the circuit court sent the case back to the lower court, *Brooks v Mamo*, 254 Mich App 486, 498; 657 NW2d 793 (2002), this Court cannot accept an appeal from this order either. MCR 7.203(A)(1).



A true copy entered and certified by Sandra Schultz Mengel, Chief Clerk, on

OCT 22 2008

Date

Sandra Schultz Mengel

Chief Clerk